

**NEW HAMPSHIRE EXECUTIVE BRANCH
ETHICS COMMITTEE**

**OFFICE OF THE ATTORNEY GENERAL
ROOM 302**

**January 12, 2009
8:12 AM**

Meeting called to order by Chairwoman Deborah Schachter.

Present: Deborah Schachter, Patricia Quigley, John Blair, Alan Johnson

Absent: Karol LaCroix, Dale Kuehne, one vacant position

Also Present: Associate Attorney General Richard Head
Richard Nusbaum, Attorney - administrative rules consultant (for rules discussion only)

- The committee reviewed the draft minutes of the December 3, 2008 meeting and approved them.
- Committee members discussed with Attorney Head the matters that can be decided today with four members present.
- The committee discussed scheduling a joint ethics committee meeting with the Legislative Ethics Committee. At this time, the terms of several members of the Legislative Ethics Committee have expired and they have not been appointed and/or reappointed to the committee. The recording secretary is in contact with the Legislative Ethics Committee's legal counsel and will update the committee when the necessary appointments have been made.

- **Request for opinion regarding gift cards**

Attorney Head gave the committee an outline of the request and the draft opinions. The committee discussed at length the definition of "gift" and "money", types of gift cards, context of gift cards, frequency of gift card giving, and at what point there is a transfer of money. The committee will defer a decision on this issue until the next meeting to discuss it with the other members.

- **Anonymous complaint**

The committee discussed the procedural defects of the complaint and whether any action is warranted on it. The discussion will continue in the non-public session of the meeting.

- The committee entered into a non-public session pursuant to RSA 21-G:31, V at 9:10 a.m. and concluded the non-public session at 9:15 a.m.
- The committee unanimously voted that the minutes in the non-public session remain non-public for the meeting held today and the meeting held on December 3, 2008.

- **Proposed Administrative Rules**

Karol LaCroix's comments on the rules were distributed to the committee members. The committee and Richard Nusbaum discussed the stages of the complaint process, disciplinary actions and number of votes needed for each, hearings and deliberations, confidential and public proceedings, recusal of members, degrees of kinship, business relationships, definitions, and the time period for objections to motions.

- The next meeting will be held on February 4, 2009.

Meeting adjourned at 10:20 a.m.

Respectfully Submitted

Kara-Lee Bean

Kara-Lee Bean
Recording Secretary